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Bermuda

Food and Agricultural Import Regulations and Standards

Country Report

2005

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TABLE OF CONTENTS

SECTION I.	FOOD LAWS.....
SECTION II.	LABELING REQUIREMENTS.....
SECTION III.	PACKAGING AND CONTAINER REQUIREMENTS.....
SECTION IV.	FOOD ADDITIVE REGULATIONS
SECTION V.	PESTICIDE AND OTHER CONTAMINANTS.....
SECTION VI.	OTHER REGULATIONS AND REQUIREMENTS.....
SECTION VII.	OTHER SPECIFIC STANDARDS
SECTION VIII.	COPYRIGHT AND/OR TRADEMARK LAWS.....
SECTION IX.	IMPORT PROCEDURES
APPENDIX I.	GOVERNMENT REGULATORY AGENCY CONTACTS

DISCLAIMER: This report was prepared by the Office of Agricultural Affairs of the USDA/ Foreign Agricultural Service in (Miami, U.S.A.) for U.S. exporters of domestic food and agricultural products. While every possible care was taken in the preparation of this report, information provided may not be completely accurate either because policies have changed since its preparation, or because clear and consistent information about these policies was not available. It is highly recommended that U.S. exporters verify the full set of import requirements with their foreign customers, who are normally best equipped to research such matters with local authorities, before any goods are shipped. FINAL IMPORT APPROVAL OF ANY PRODUCT IS SUBJECT TO THE IMPORTING COUNTRY'S RULES AND REGULATIONS AS INTERPRETED BY BORDER OFFICIALS AT THE TIME OF PRODUCT ENTRY.

Section I: Food Laws

Currently, imported food is accepted into Bermuda when it meets the requirements of the Country of origin and can therefore be sold in that Country.

Section II: Labeling Requirements

Bermuda has no food labeling legislation. The Department of Health and the Department of Consumer Affairs are in the process of documenting legislation for locally produced products. To date local producers have been operating on a voluntary agreement of understanding by putting the minimum information on the labels such as :

- Name of product
- Name of Manufacturer or Distributor
- Address and contact number of Manufacturer or Distributor
- List of all ingredients in descending order of quantity
- Additives- Natural or Artificial
- Net quantity of the food (by weight if solid, by volume if liquid)

The Public Health Act makes provisions for the regulating and enforcement of food labeling legislation.

No person shall import into Bermuda any food:

- a) which has been manufactured or prepared under insanitary conditions; or
- b) which has been adulterated; or
- c) which is not permitted to be sold, or whose sale is restricted in the country from which it is exported.

The foreign food label must be applied prior to export.

Section III: Packaging and Container Regulations

1. Packing and container regulations exist for water, milk and cream only. The Public Health (Food) Regulations 1950 for artificially sweetened aerated water state: A person shall not sell, or have for the purposes of sale or other disposal in the way of trade or business, artificially sweetened aerated water in any can, bottle, or other container unless that can, bottle or other container is of a kind or size approved by the Chief Medical Officer.
2. The following is a schedule of type and specification of manufactured milk;

Filled Milk-	Red Container
Low Fat Filled Milk-	Pink Container
Filled Cream-	Brown Container
Recombined Skim or Skimmed Milk-	Green Container

Notwithstanding anything contained in these regulations, no milk shall be imported into Bermuda or if imported sold or offered for sale for human consumption unless it is milk of a type which has been approved in writing by the Chief Medical Officer. No such approval shall be granted unless the Chief Medical Officer is satisfied:

- a) as to the source and quality of the milk;
- b) as to the methods of heat treatment of the milk and the packing operations in respect thereof;
- c) as to the chemical and bacteriological standard of the milk;
- d) as to the manner and conditions under which the milk is transported to Bermuda and the distribution thereof within Bermuda;
- e) as to the capacity, type and material of the container in which the milk is packed and that the capacity of any such container does not exceed the capacity specified in writing by the Chief Medical Officer.

Section IV: Food Additive Regulations

Bermuda has no food additive regulations and relies on the country of origin requirements for additives.

Section V: Pesticide and Other Contaminants

No person shall bring into Bermuda any food which is unfit for human consumption:

- a) manufacture or prepare; or
- b) store or have in his possession; or
- c) sell or offer for sale, whether by wholesale or by retail or by public auction.

Pesticides for outdoor use are registered with the Department of Agriculture and Fisheries. Pesticides for indoor use are registered with the Department of Health. Application is submitted with the MSD sheet. An approved list of products monitored at the retail/wholesale distribution levels can be found at both agencies.

Section VI: Other Regulations and Requirements

The following are text from the Bermuda regulations on meat.

1. "Meat" means: the flesh or other edible part of an animal and includes uncooked meat prepared or otherwise, but does not include meat products. "Meat Products" means:
 - a) meat which has been cooked or otherwise prepared; or
 - b) meat packed in airtight containers; or
 - c) rendered animal fats; or
 - d) pies, sausages or other prepared or manufactured articles, food containing any meat or cooked or dried meat; or
 - e) poultry, game either whole or predressed and packed.
2. "Official Certificate" means: a certificate, label, mark, stamp or other voucher which is

furnished by a competent authority in respect of any fresh meat, or package containing any such meats, and which certificate is for the time being recognized by the Minister as showing:

- a) that the meat to which it relates was derived from animals inspected both ante and post mortem and passed in accordance with criteria satisfactory to the Chief Medical Officer; or
- b) that all necessary precautions for the prevention of danger to public health were taken in the dressing of preparing and packing of such meat.

3. "Prohibited Meat" includes:

- a) scrap meat, trimmings or other pieces with or without bone, of such shape or condition as to afford insufficient means of identification with a definite part of a carcass;
- b) meat comprising the wall of the thorax or abdomen from which any part of the pleura or, except in the case of a pig, the peritoneum has been detached, other than a necessarily removed in preparing the meat; and
- c) meat from which a lymphatic gland, except a gland necessarily removed in preparing the meat, has been removed; and
- d) the head of an animal without submaxillary glands.

4. Restrictions on importation of meat

No person shall import, or cause to be imported, prohibited meat; and no person shall import, or cause to be imported, meat, other than prohibited meat, unless he is in possession of an official certificate in respect thereof.

Products are monitored at the retail and wholesale level by The Department of Health. The Environmental Health Officer monitors Quality Control and outdated products.

Section VII: Other Specific Standards

Standard weights and measures are required for imported food.

Section VIII: Copyright and/or Trademark Laws

Registration of trademarks for imported foods and beverages is not required in Bermuda, however it is advisable for protection.

Section IX: Import Procedures

Customs clearance is done by the importer or receiving agent. After arrival at the port, a customs officer will inspect the shipment and with proper documentation is released to the importer. Duty is paid directly to the Department of Customs.

The length of time it takes to clear customs depends on your arrival time. Customs is most congested from 12-2 pm. Arrival between these hours can take between 1-1.5 hours for clearance. Arrival any other time will take between 35-40 minutes. Customs officials are off for local

holidays but are working on overseas holidays. Cargo arriving on ship in Hamilton will be inspected until 5 pm, Monday through Friday. Any shipments arriving outside this time frame will be held until customs is back at work. Flight arrivals are guaranteed to be inspected on arrival. Customs will work until the last expected shipment arrives. Because of the new import schedule in Bermuda falling in line with the harmonized tariff system, products are itemized on the bills of lading as opposed to falling in more general categories. There is no "official" appeals process for disputed and/or rejected products.

APPENDIX I: GOVERNMENT REGULATORY AGENCY CONTACTS

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Hamilton HM EX
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Mrs. Marlene Chrisotpher, Registrar (Trademark Laws)
Registrar General
30 Parliament Street
Hamilton HM 12
Phone: (441) 297-7705

Mr. John Barnes, Director (Importation of Produce)
Agriculture & Fisheries
P.O. Box HM 834
Hamilton HM CX
Phone: (441) 235-4201
Fax: (441) 236-7582

Agriculture & Fisheries (Importation of Fish)
Fisheries Division
P.O. Box CR 52
CR BX
Attention: Mr. Brian Luckhurst
Senior Fisheries Officer
Phone: (441) 293-1785
Fax: (441) 293-2716

HM Customs Custom House PO Box HM 2084 (Tariff Information)
Hamilton HMX
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Post Contacts

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